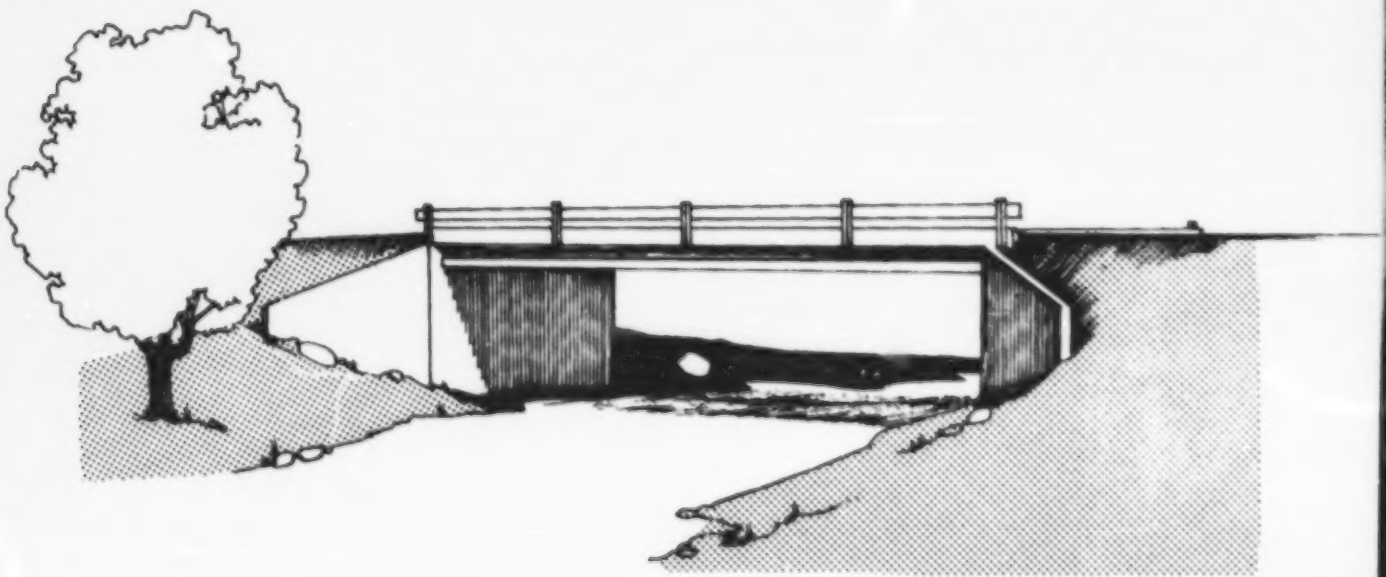
DEPARTMENT OF ROADS AND TRAFFIC

A Summary of Organization and Procedure



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THE MUNICIPALITY OF METROPOLITAN TORONTO

DEPARTMENT OF ROADS AND TRAFFIC

A SUMMARY OF ORGANIZATION AND PROCEDURE

JANUARY, 1983

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PART 1 - RESPONSIBILITIES, OBJECTIVE AND ORGANIZATION

RESPONSIBILITIES AND AUTHORITY

The Metropolitan Department of Roads and Traffic is an "Operating Department" providing services directly to the public. Its responsibilities are essentially:

1. To maintain and operate the roads, bridges and other roadway structures, for which the Metropolitan Corporation is responsible.

2. To design and construct roads, bridges, other structures and traffic control devices necessary to implement the roads programs of the Metropolitan Council.

The responsibilities in regard to Metropolitan roads are defined in Part VI of The Municipality of Metropolitan Toronto Act, 1953 (as amended). The responsibilities for traffic control are defined in sections 79-84 incl. and 259 of The Municipality of Metropolitan Toronto Act as well as pertinent sections of the Municipal Act and the Highway Traffic Act.

As of December 31, 1982, there were approximately 730 kilometres of road under the jurisidiction of the Metropolitan Corporation. These roads are classified as "arterial roads" and "expressways." Metroplan designates approximately 40 kilometres of roads under local jurisdiction as future Metropolitan roads. These roads are being assumed at an average rate of 5 kilometres per year. In 1981 there was an average of 16,600,000 vehicle-kilometres per day travelled on the Metropolitan system of roads. This represents an over-all growth of approximately 4% over 1980 traffic volumes.

DEPARTMENTAL OBJECTIVES

The accomplishment of the functions and responsibilities of the Department is guided by the following objectives:

1. to guide, inform and recommend to Council on matters affecting traffic safety and movement on the Metropolitan roads system;

2. to provide for safe and efficient traffic movement on the Metropolitan road system through installation, construction and maintenance of traffic control devices, road pavement and structures, in accordance with recognized quality and safety standards;

3. to implement the Roads Capital Works Program according to Council instructions;

4. to manage the spatial arrangements of public utilities, pavements, sidewalks and street furniture within the Metropolitan roads allowances;

5. to provide technical assistance when requested to staffs of area municipalities and other departments in the Metropolitan Corporation in matters involving traffic operations, functional design and adjacent land use affecting the Metropolitan road system;

6. to encourage the standard application of traffic control devices and the enactment of uniform legislation throughout Metropolitan Toronto by means of a liaison with representatives of traffic agencies within the area; and

7. to co-operate with technical bodies and government agencies in the preparation of engineering reports and publications.

STAFF ORGANIZATION

In September, 1955, the Roads Committee recommended the appointment of J.D. Woods and Gordon Limited, Management Consultants, to study the organization of the Department of Roads.

The recommendations suggested a much broader use of Consultants and Contractors, with the intention that the staff of the department consist of a small, highly qualified nucleus to prepare works programs, set standards and co-ordinate and supervise the engineering and construction work that would be performed in large part by Consultants, Contractors, and private surveyors.

The Traffic Engineering Department had also operated on similar principles, assigning to contractors, manufactures, and local municipalities much of the maintenance, pavement marking, traffic sign manufacture and installation. This organizational philosophy has permitted flexibility in programming, and efficient and economic use of human resources.

It is therefore possible for the Department of Roads and Traffic to perform work which requires a budget averaging approximately $41 million per year with a permanent staff of only 515 persons. Because of the nature of this organization, the staff has a high proportion of professional and skilled persons. On January 1, 1982 there were 33 professional Engineers and 7 Ontario Land Surveyors included in this staff.

The Department is directed by a Commissioner and Deputy Commissioner and is organized under four main branches:

1. Administration

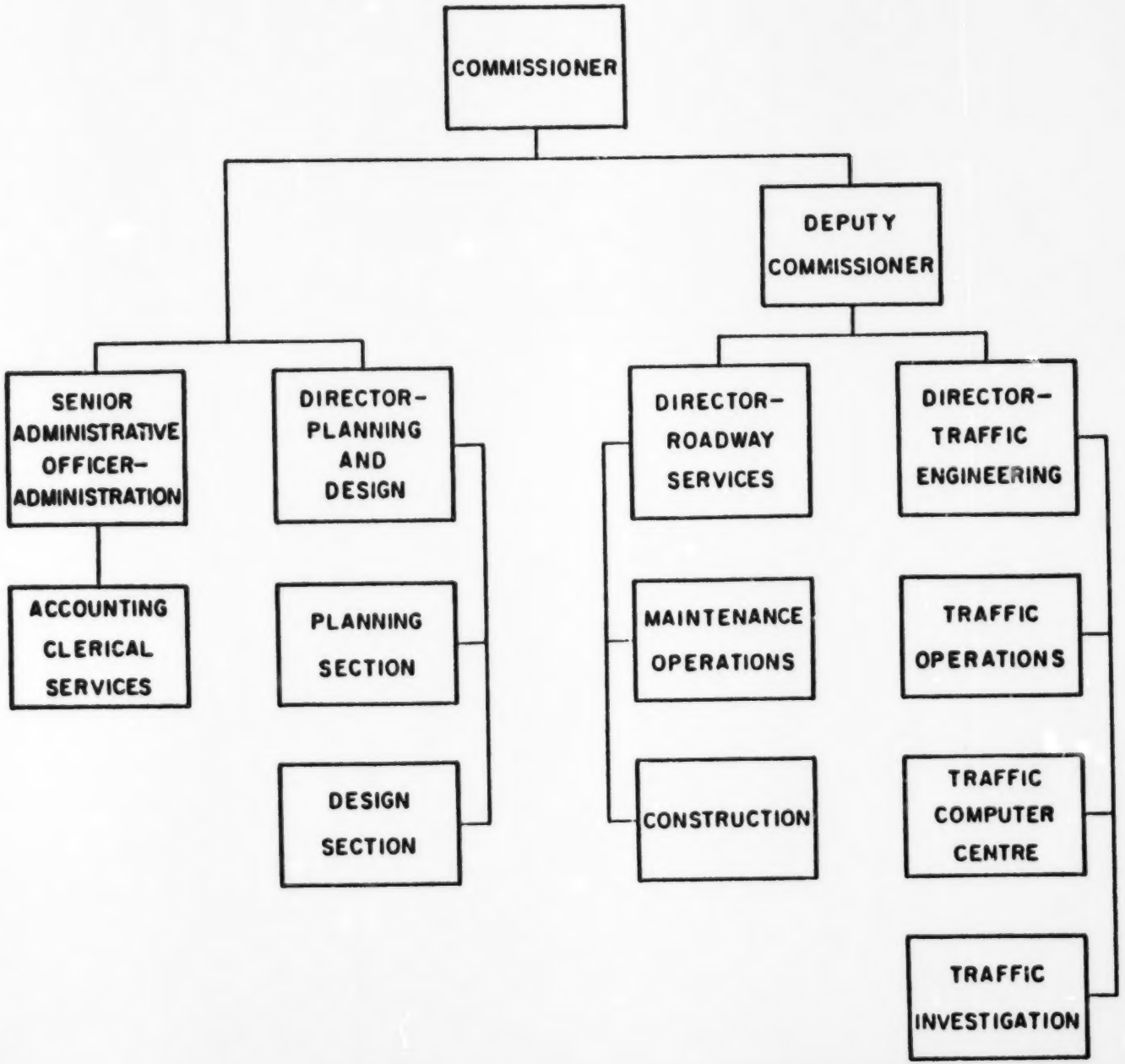
2. Planning and Design

3. Roadway Services

4. Traffic Engineering

The staff functions are illustrated in the enclosed chart and described in the following pages.

DEPARTMENT OF ROADS AND TRAFFIC



ADMINISTRATION BRANCH

The Administration Branch, under the Senior Administrative Officer, has a permanent establishment of 47 and operates with two Divisions, providing clerical services and accounting services.

1. CLERICAL SERVICES DIVISION

The Clerical Services Division under an Administrative Supervisor is responsible for:

a. the operation of the Personnel/Payroll Section; preparing and controlling all payrolls and support documents, Workmen's Compensation and Long Term Disability claims, Non-occupational absentee program and confidential staff files and personnel records;

b. providing personnel to other Branches of the Department, for typing, filing and other clerical activities;

c. maintaining central filing and correspondence controls;

d. the co-ordination of budget details;

e. the collection of all monies owing to the Department from insurance claims for damages to Department property, and the processing of all personal injury and property damage claims made against the Department; and

f. maintaining a central library for the Department.

2. ACCOUNTING SERVICES DIVISION

The Accounting Services Division under an Accounting Supervisor is responsible for:

a. preparing, reviewing and approving all vouchers for payment; to ensure that supporting documents meet internal control requirements; spot-checking periodically to verify detail accuracy;

b. preparing all reports, returns and documents necessary to obtain subsidies from Provincial or Federal authorities;

c. controlling documents to ensure correct invoicing to other Municipalities and Utilities for work carried out for them; and

d. providing all input to the Computer of an accounting nature to ensure timely and accurate cost and expense reports and any variances from targets.

In addition, the Senior Administrative Officer has a personal responsibility for the co-ordination of all systems and controls and the development of management information system within the Department.

PLANNING AND DESIGN BRANCH

The Planning and Design Branch, under the Director of Planning and Design consists of two Divisions, the Planning Division and the Design Division. The Branch has a permanent establishment of 68.

1. PLANNING DIVISION

The Planning Division under a Chief Engineer, consists of one Senior Engineer, two Engineers, and two Engineers Assistants.

The Main responsibilities of this Division are:

a. providing liaison with the Transportation Division of the Metropolitan Toronto Planning Department in planning future road facilities;

b. examining building permits, subdivision plans, rezoning applications and other development projects on Metropolitan roads and assessing roads needs in respect thereof;

c. conducting needs studies to determine priorities of road improvement projects and grade separations;

d. preparing functional plans and estimates for projects in the Capital Works Program; and

e. issue permits for entrances, excess loads, utility cuts and disabled parking.

2. DESIGN DIVISION

The Design Division, under a Chief Engineer is divided into four sections -Bridge Design Section, Road Design Section, Surveying Section and Draughting Section.

Bridge Design Section - consists of a Senior Engineer and two Engineers. It is responsible for:

a. designing and preparing contracts for construction or repair of bridges, subways, retaining walls and other structures; and

b. supervising Consultants appointed to design the larger structures.

Road Design Section - consists of a Senior Engineer, three Engineers.

It is responsible for:

a. designing and preparing road widening contracts;

b. supervising Consultants appointed for road design; and

c. approving location of utilities on road allowance.

Survey Section - consists of a Supervisor of Road Surveys, two Senior Ontario Land Surveyors, three Ontario Land Surveyors, one Surveyor and 27 Engineer's Assistants.

It is responsible for:

a. providing land plans for property required for roads projects and for surplus property to be sold;

b. supervising private Survey Consultants appointed to do survey work;

c. maintaining a property ledger for keeping track of property transactions;

d. establishing existing street lines on road; and,

e. providing engineering survey work on construction projects.

Draughting Section - consists of a Chief Draughtsman, three Supervisors and twelve Engineer's Assistants.

It is responsible for:

a. drawing engineering plans for road contracts;

b. drawing land plans;

c. checking land plans drawn by Survey Consultants; and

d. cataloguing and storing plans and documents.

e. drawing plans for traffic signal layouts and lane marking.

ROADWAY SERVICES BRANCH

The Roadway Services Branch under the Director of Roadway Services has a permanent establishment of 340 employees and consists of two divisions, Maintenance and Construction.

1. MAINTENANCE DIVISION

The Maintenance Division under a Chief Engineer is divided into two sections, one directs work done under contract and the other directs work done by Departmental staff.

Contract Section - consists of a Senior Engineer, 9 Inspectors, and 24 patrolmen.

It is responsible for:

a. resurfacing of asphalt pavements;

b. repairing Utility cuts;

c. improving Intersections;

d. bridge painting; and

e. snow ploughing and salting

Yards Section - consists of a Chief Superintendent and a staff of 294 men. It is responsible for the day to day maintenance of the facilities of the Metropolitan Toronto Roads System. The maintenance staff is located in six district yards spaced throughout the Metropolitan area. Each yard is operated by a Superintendent who has a staff of Foremen and men totalling approximately 45. The Department also operates a vehicle maintenance and materials storage yard.

2. CONSTRUCTION DIVISION

The Construction Division under a Chief Engineer, consists of six Senior Project Engineers and two Engineers. The main responsibility of this Division is to see that construction projects are completed in accordance with the authorized Capital Budget and in accordance with Departmental specifications.

It is responsible for:

a. co-ordinating with the Planning and Design Branch in preparing detailed scheduling of projects and pre-contract processing;

b. advising and directing Consulting Engineers on the preparation of tender documents;

c. assisting Property Department in making property settlements;

d. providing field staff for supervision of projects;

e. seeing that Consulting Engineers provide supervision to the standards and within the policies of the Metropolitan Toronto Department of Roads and Traffic;

f. co-ordinating all phases of the work on each project including the relocation of utilities and work by other bodies;

g. certifying all payments to Contractors and Consultants; and

h. resolving construction problems of an engineering nature.

TRAFFIC BRANCH

The Traffic Branch under the Director of Traffic has a permanent establishment of 60 and operates with three Divisions, as follows:

1. OPERATIONS DIVISION

The Operations Division under a Chief Engineer, is responsible for:

a. preparation of signal plans, installation, maintenance, modification, and efficient field operation of the traffic signal system;

b. installation and maintenance of traffic signs;

c. application and maintenance of pavement markings, including pedestrian crossovers;

d. investigating vehicle access requests and control of traffic, operations during construction projects and road closures which affect the Metropolitan road system; and

e. maintenance and operation of the commuter parking lots.

Traffic experience has shown that private contractors, under the supervision of Branch personnel, perform many of the above duties most efficiently; therefore, the Traffic Branch has no shop or stockroom of its own. The contractors supply small material and equipment used on the jobs, and large items are purchased through City of Toronto Central Purchasing and Stores as required. A major contract covering the maintenance of traffic control devices is let for a 5-year basis by tender.

The application of centre and lane line road stripping is carried out under contract by crews employed by the Regional Municipality of York under supervision by Traffic Branch staff.

2. TRAFFIC INVESTIGATIONS DIVISION

The Traffic Investigations Division under a Senior Engineer, is responsible for:

a. taking various traffic studies to establish traffic patterns and trends;

b. advising as to the adequacy of traffic facilities as related to re-zoning of lands abutting the Metropolitan road system; and

c. conducting investigations arising from enquiries from the public, or requests from the local municipalities, for traffic signals, pedestrian crossovers, amendments to traffic regulations and elimination of traffic hazards.

3. TRAFFIC CONTROL CENTRE DIVISION

The Traffic Control Centre under a Senior Engineer, is responsible for:

a. supervision of the installation and operation of the electronic computer for the control of traffic;

b. preparation of timing for all traffic control signals;

c. collection of data pertinent to the analysis of efficient traffic flow; and

d. research programs leading to optimization of traffic flows through the use of the traffic computer.

BUDGETING

AUTHORIZATION OF CURRENT PROJECTS AND EXPENDITURES

The distinction between projects approved in the Capital and Current Budgets is that funds appropriated in the Current Estimates are provided through current year's taxes and there is therefore, no borrowing by the Municipality to finance these services and operations.

It is still necessary, however, to obtain Council's authority to undertake a project approved in the Current Estimates and to pass a Construction By-law for work involving alteration to a road facility. This by-law embraces all construction works approved in the current estimates for the year. Resurfacing of a pavement does not require a by-law.

All routine Maintenance and Administrative expenditures are automatically approved with Council's adoption of the Current Estimates.

AUTHORIZATION OF CAPITAL PROJECTS AND CAPITAL EXPENDITURES

The Procedure By-law (No. 2798) provides that no contract shall be entered into for any work until it has been authorized by Council and an appropriation of funds has been made therefor.

Normally, the first step in initiating a project is taken when the Commissioner of Roads and Traffic compiles the five year Capital Works Program for the annual consideration of Council. An item describing the project, showing its estimated cost and indicating the expenditures in the appropriate years, is included in the proposed Program. This program is submitted for approval to the Transportation Committee, the Executive Committee, and finally reaches Council in late March or April. Projects may be added to or deleted from the Program at each of these stages.

Final approval of the Program by Council does not, in any way, constitute authority to proceed with any project listed therein. The Program is a compendium prepared essentially for taxation purposes and is a projection of proposed expenditures on Capital projects for a five year period.

The Program is also the basis of approval by the Ontario Municipal Board of the work to be financed by debentures by the Metropolitan Corporation. Each year a Bulk Order is issued by the Board indicating the limit of debenture financing that can be done by the Metropolitan Corporation to carry out its program of work for that year.

The next step in the process is the submission to the Transportation Committee of individual recommendations covering each new item in the Capital Program to be started that year, describing the work proposed, giving the estimated cost, and requesting authority to acquire any property required. The authority to expropriate is requested in a separate report to Council.

The subsequent authorization of each project by Council includes instructions to the appropriate Officials to seek all requisite approvals and the granting of leave for the introduction in Council of all necessary Bills. It also includes a statement regarding the term of debenturing, a reference to the covering item number in the Capital Works Program, and a certification from the Commissioner of Finance that the necessary funds can be provided from the Ontario Municipal Board Bulk Order for that year.

Whenever it becomes apparent that funds authorized by Council will be insufficient to permit completion of a project, it is required that a detailed report be submitted to the Executive Committee by the Head of Department concerned before the Metropolitan Corporation is committed to any additional expenditure.

Subsequent to authorization of the project by Council, the Metropolitan Solicitor prepares a Construction By-law for Council's final approval of the project. By-laws must also be processed for altering, widening or diverting a highway, or for establishing a new highway. Notice of these by-laws must be published at least once a week for four successive weeks in a local newspaper. Persons concerned may register their opposition with Metropolitan Council, and such by-laws, when passed, must have the approval of the Lieutenant-Governor in Council before coming into effect. Where necessary, an Expropriation By-law must also be passed by Council. Expropriation of property is covered more fully in a separate section herein.

In order to qualify for Provincial subsidy, a detail design of the work proposed must be submitted for approval of the District Municipal Engineer of the Ministry of Transportation and Communications, Ontario. Any contracts awarded by Council for the construction of the project must also be submitted for approval of the District Municipal Engineer.

Where it is necessary to divert a navigable river or construct a dam or a bridge over it, approval of the Minister of Public Works, Ottawa, is required under the Navigable Water Protection Act, R.S.C. Where a river is to be diverted, approval is also required of the Minister of Lands and Forests, Ontario, under the Lakes and Rivers Improvement Act, and the Beds of Navigable Water Act, R.S.O. The Metropolitan Toronto and Region Conservation Authority must also give its approval to the scheme. The Ontario Water Resources Commission has jurisdiction over sewer construction.

The regulation of pipe lines for the transmission of compounds obtained from oil or gas wells is under the jurisdiction of the National Energy Board, Ottawa. Approval of this Board is required for any road crossings.

Under the provisions of the Railway Act, R.S.C., the Federal Government, through the Canadian Transport Commission, has jurisdiction over all railway crossings of roads. Each crossing is subject to an Order of the Board which, apart from granting necessary approvals, establishes the financial responsibilities of the respective parties regarding construction and maintenance.

CAPITAL WORKS PROGRAM AND THE OFFICIAL PLAN

The department annually prepares and submits to the Council a 5-year program of Capital Works relating to roads, bridges, and traffic control. The program is designed to:

1. implement the recommendation of the Metropolitan Official Plan as described hereunder, as and when each individual project is approved by Council from time to time:

    a. Section 6 of The Plan which is headed "Transportation" and contains statements concerning major transportation facilities, expressways, transportation corridors, arterial roads, and parking.

    b. Figure 8 of The Plan which shows the proposed Metropolitan Arterial road network for the year 2001.

    c. Figure 9 of The Plan which shows the proposed road right-of-way widths.

    d. Section E (Clause 1-5) of The Plan which outlines policy with respect to roads.

    e. Section G (Clause 1) of The Plan which states the objectives with respect to roads.

2. co-operate with local municipalies in regard to their programs of land-use development; and

3. replace and reconstruct roads and bridges which have become too costly to repair or are potentially unsafe.

CONTRIBUTIONS FROM OTHER LEVELS OF GOVERNMENT

Ministry of Transportation and Communications, Ontario, Subsidy Program

At the beginning of each year, a by-law is enacted by Metropolitan Toronto Council, outlining the Department's requirements for both Construction and Maintenance, within the amount established for subsidy by the Ministry of Transportation and Communications, Ontario.

Subsidy is received by submitting evidence of payments made for costs of Construction and Maintenance of the road system, plus 7 per cent of the combined total as a contribution to overhead. This total is subject to a 50 per cent subsidy payment.

Federal Government, For Railway Grade Separations

The Federal Government, under Bill C-27, the Railway Relocation and Crossing Act, which came into force on June 1, 1974, makes available contributions towards the costs of the construction and reconstruction of railway grade separations in the following ways:

1. Railway Grade Crossing Fund

   a. for new grade separations costing up to $1,250,000.00 on level crossings in existence for at least three years, 80 per cent of the cost of the work to a maximum of $1,000,000.00.

   b. for reconstruction work costing up to $1,250,000.00 on grade separations at least 15 years old, 50 per cent of the cost of the work to a maximum of $625,000.00.

PART II - POLICIES, PRACTICES AND PROCEDURES

ROADS

ADVERTISING SIGNS

The Metropolitan Corporation has the power to pass by-laws to prohibit and regulate signs and other advertising devices which project over, or are located on, private property within 150 feet of a Metropolitan road. By-laws have been enacted to prohibit or regulate signs on the following roads:

1. Roads on which no signs are permitted within 150 feet, except "For Sale" signs or roof signs on commercial buildings identifying or advertising ownership or products of the owner or occupant.

   Frederick G. Gardiner Expressway

   Don Valley Parkway

   Bayview Avenue - River Street to Nesbitt Drive

   Lake Shore Boulevard - Leslie Street to Woodbine Avenue

   The Queensway - Roncesvalles Avenue to Parklawn Road

   William R. Allen Road

2. Roads on which no signs are permitted within 150 feet, except "For Sale" signs or any signs identifying or advertising ownership or products of owner or occupant.

   Eglinton Avenue East - Brentcliffe Road to Jonesville Crescent

   Lawrence Avenue East - The Donway East to Victoria Park Avenue

3. Roads on which no sign is permitted to extend more than 18 inches over the street line.

   Avenue Road - Queen's Park College Street to Lawrence Avenue

   Bloor Street and Danforth Avenue within City Limits

   Eglinton Avenue - Duplex Avenue to Mount Pleasant Road

   St. Clair Avenue - Spadina Road to Mount Pleasant Road

   Yonge Street - Front Street to North City Limit

Five years' notice is customary when it is required that overhanging signs be removed.

ASSUMPTION OF ROADS

As of January 1, 1954, 445 kilometres of roads were assumed by The Municipality of Metropolitan Toronto. These had formerly vested in -

King's Highways	46.6
Toronto and York Roads Commission	186.7
City of Toronto	144.6
Suburban Area Municipalities	67.1
	445.0

Forming part of the assumed Metropolitan roads system were 79 bridges and large culverts and 32 railway subways.

The following table indicates changes in mileage of the system. The lane mileage is probably the more significant, since a number of roads which were previously two lanes have been widened to four or six lanes.

Year	Road Kilometres	Lane Kilometres
January 1, 1954	445.00	1255
January 1, 1982	730.00	3234

The Draft Official Plan of the Metropolitan Toronto Planning Department, presented in 1960, established that definite criteria were required to evaluate roads which should be part of the Metropolitan roads system. Map III of the plan illustrated a network of roads which met the criteria and which should ultimately be assumed into the Metropolitan system.

To qualify as part of the Metropolitan road system, a road must conform to at least three of the following criteria:

1. A major arterial road located adjacent to or on the Metropolitan boundary, or not less than one mile or more than 1¼ miles from paralled roads qualifying as Metropolitan roads, excluding expressways.

2. A road comprising a reasonably direct and unbroken traffic route, the terminals of which connect with major arterial roads. Such a route may include a linkage, either existing or proposed required to cross or circumvent a physical barrier that breaks the logical continuity of the route.

3. A road connecting to one or more existing or proposed expressways at the grade-separated interchange, either directly or via a linkage of not more that one-half mile in length.

4. A road extending continuously across at least two-thirds of Metropolitan Toronto.

5. A road extending, or capable of extension, beyond the boundary of Metropolitan Toronto, either as an existing King's Highway, County Road, or Township Concession Road.

In addition to the criteria outlined, any road complying with either of the following special circumstances qualifies and may be assumed as a Metropolitan road:

1. A road constructed by the Metropolitan Corporation for the purposes of improving traffic movements beteween Metropolitan roads to which it connects directly.

2. A road assumed by the Metropolitan Corporation for the purpose of developing a direct connection between an expressway interchange and one or more existing Metropolitan roads.

A route, or part of a route, which qualifies as a Metropolitan road in accordance with the foregoing criteria may be assumed by the Metropolitan Corporation provided:

1. it has an annual average daily traffic volume of not less than 8,000 vehicles; and

2. it constitutes a desirable connection of up to 1½ miles in length between two Metropolitan routes or section of a route.

BANNER SIGNS, SERVICE CLUB AND RELIGIOUS INSTITUTION SIGNS

Service Club signs are not permitted on boulevards of Metropolitan roads. One sign for each religious institution is allowed by approval of Metropolitan Council under the following conditions:

(1) the maximum size of the directional sign not exceed five square feet;

(2) the signs be made of metal and affixed to a steel pole imbedded in concrete;

(3) such sign not be illuminated in any manner; and

(4) the Commissioner of Roads and Traffic examine the location thereof as it relates to the proper flow of traffic in vehicular areas.

The erection of banner signs is restricted to philanthropic and charitable organizations and may be approved by the Commissioner of Roads and Traffic but signs for other organizations are authorized by Metropolitan Council only. The Clerks of Area Municipalities are informed by the Commissioner of Roads and Traffic of any intention to erect banner signs over Metropolitan roads within their respective municipalities.

BOULEVARD PARKING

In Commercial and Industrial zones, boulevards may be leased for parking purposes by the abutting property owner or occupant.

BUILDING APPLICATIONS

The Metropolitan Corporation has certain powers with regard to lands abutting or flanking Metropolitan roads under:

1. Section 339, The Municipal Act, to regulate the location of buildings or structures abutting or flanking Metropolitan roads.

2. Section 97, The Municipality of Metropolitan Toronto Act, the powers conferred on the Council of a local municipality by Section 39 of the Planning Act, affecting land lying within 45 feet from any limit of a Metropolitan road.

In accordance with the foregoing and in order to complement the Metropolitan Plan for roads, the approval of the Commissioner of Roads and Traffic is required by the Area Municipality prior to the issuance of a building permit.

CONSTRUCTION STANDARDS

In the construction of new Metropolitan Roads and Expressways, the following design parameters are used:

PARAMETERS	ARTERIAL ROAD	EXPRESSWAY
Design Speed	80 km/h	110 km/h
Min. safe stopping sight distance	100 m	200 m
Max. horizontal curvature	N/A	N/A
Superelevation	As required	Max. 6%
Min. grades	0.5%	0.75%
Max. grades	5%	3%
R.O.W. widths	26 m - 36.5 m	varies
Min. pavement widths between curbs	15 m - 22.5 m plus median as required	Min. 22.50 m plus median and shoulders
Curb radius at intersection	14 m	N/A
Depth and type of pavement	150 mm crushed stone 200 mm concrete based 75 mm asphalt surface	Individuall designed
Boulevard width 0 m to 3 m	Paved	Less than 1.25 m paved Wider than 1.25 sodded
Boulevard wider than 3 m	The first 1.25 m paved remainder sodded	Sodded

All roads are built with concrete curbs and gutters and storm sewer drainage. At major intersections, extra turning lanes and channelizing islands are provided. Widening of the pavement to form bus bays is provided at bus transfer points and at other locations where there are high passenger loading volumes.

CONTRACT SYSTEM

All road projects of any significance are carried out under Contract.

On contracts of over $100,000.00 the Department usually requires that contractors wishing to bid on the contract must be pre-qualified with the Ministry of Transportation and Communications, Ontario. This qualification procedure, instituted by the Ministry for use by Municipalities, is to provide an administrative routine to ensure that any contractor who wishes to bid is financially and technically capable of satisfactorily performing the work within the specified time should he be awarded the contract.

Tenders must be advertised at least ten days prior to closing date for tenders and be in the hands of the Metropolitan Clerk one hour previous to the time set for the meeting of the Executive Committee at which they are to be opened.

The opening of tenders is done publicly. They are then referred to the Commissioner of Roads and Traffic for his report and recommendation to the Executive Committee. Award of the contract by the Executive Committee is then submitted to Council for approval.

Tenders are on a unit-price basis, and are prepared with all individual items listed separately. The estimated quantity is shown alongside each particular item, against which the tenderer is required to insert his unit price. The total of all extended unit price is, of course, the amount of the tender. Extras and deductions on the final payment certificate are reckoned according to the unit prices and final measurement of quantities.

The Contractor receives monthly progress payments at the rate of 85 percent of the value of the work done and materials supplied or placed, and 37 days after completion of the work receives 95 per cent of the whole amount due under the contract. The remaining 5 per cent is paid after a further 60 days.

As is usual in Municipal contracts, the provisions specify that in case of differences of opinion or misunderstanding as to the meaning of the contract or measurement or value of work done, the decision of the Commissioner of Roads and Traffic shall be final and binding upon all parties concerned. When a Contractor is not satisfied with the measurement of quantity by the Project Engineer, or when he requests additional payment not covered by the unit prices, he first submits his claim, in writing to the Department of Roads and Trafic. This claim is referred to the Consulting Engineer supervising the project for his investigation and recommendations.

The Consultant's recommendations are reviewed by the Director of Operations of the Department and passed on, with his comments, to the Commissioner of Roads and Traffic. A meeting is then called by the Commissioner with the Contractor, Consulting Engineer, Projet Engineer, and Director of Operations. After hearing verbal representations from both sides of the dispute, the Commissioner makes his decision. If the Contractor is not satisfied with the decision, he may appeal to Metropolitan Council.

General Conditions of the contract also provide for the guaranteed maintenance of the work by the Contractor for a period of two years after date of completion, with exception of reasonable wear and tear.

A date of completion is specified in each contract and liquidated damages of $100.00 per day (in special cases up to $500.00 per day) plus supervision costs are assessed against the Contractor for each day beyond the specified completion date that the work remains unfinished. On written request of the Contractor, the Commissioner of Roads and Traffic may extend the completion date because of factors beyond the control of the Contractor, such as strikes, unusually severe weather conditions, etc.

Where the final expenditure on a contract not greater than $200,000.00 does not exceed the contract price by more than 15 per cent, or by 10 per cent on a contract greater than $200,000.00, such expenditure may be processed for payment in the usual manner. Where an expenditure is in excess of the respective 15 per cent or 10 per cent, the fact shall be reported immediately to Council.

It is required that a Bid Bond be submitted with each tender, the amount of which is fixed by the Departmment, to secure execution of the formal contract and the giving of an acceptable Bond to secure the due performance and fulfilment of the contract.

Where trades are involved in a tender, it is the practice to utilize the facilities of the appropriate Bid Depository. This involves placing a tender and a set of plans in a central office where sub-contractors may prepare their estimates for a particular portion of the work. These estimates are then forwarded to prime contractors who are tendering, with a copy being furnished the Bid Depository Association. This has the effect of discouraging "bid peddling". Sub-contractors are required to be named in a tender, and after a contract is awarded these can only be changed with the authority of Council.

All recommendations for the award of a contract must be supported by a statement of the Fair Wage Officer to the effect that the contractor is known to pay wages in accordance with the minimum wage scale approved by Council.

DECORATIVE CHRISTMAS LIGHTING

Decorative Christmas lighting may be erected by an Area Municipality or a Businessmen's Association over Metropolitan roads provided the installation is approved by the Commissioner of Roads and Traffic and the Hydro Electric System having jurisdiction over the lighting.

ENCROACHMENTS

All encdroachments on or occupations of boulevards of Metropolitan roads require Administrative approval and a covering agreement. Where an agreement provides for a rental rate, or a percentage of revenue such as in the case of public telephones, the income is paid directly to the Treasurer of the Area Municipality in which the installation is located.

Lease or Licencing of sidewalks on Metropolitan Roads

A By-law has been passed by Metropolitan Council delegating to the Council of any area municipality which requests it the power to lease or licence the use of sidewalks and untravelled portions of Metropolitan roads in commercial or industrial areas of such area municipality to the owners or occupants of adjoining properties for the purposes of:

a. display of merchandise;

b. operation of boulevard cafes;

c. installation of bicycle stands; and

d. holding of sidewalk sales

in accordance with conditions outlined in the By-law.

As of January 1, 1981, the By-law applies to the City of Toronto and the Boroughs of Etobicoke, Scarborough and York.

Advertising on Transit Passenger Shelters

The Metropolitan Corporation has approved the use of advertising on transit passenger shelters within Metropolitan road allowance as a means of financing the erection and maintenance of such shelters, subject to conditions providing for indemnifications, and adequate control of interference with pedestrian or vehicular traffic.

Placement of Newspaper Boxes

A policy has been adopted by Metropolitan Council which permits the placement of newspaper boxes on Metropolitan road allowances, subject to conditions providing for indemnification, satisfactory maintenance, and location such as to protect public traffic from hazards.

Fencing

The Metropolitan Department of Roads and Traffic is responsible for the erection and maintenance of fences on the Don Valley Parkway, the Frederick G. Gardiner Expressway, the William R. Allen Road, and the Bayview Extension.

The fences are to be of chain link, six foot high.

Pedestrian Grade Separations

The Metropolitan Corporation will design, construct and maintain at its expense any pedestrian grade separation proposed on a Metropolitan road provided the location satisfies the following four criteria:

1. An isolated location where high pedestrian volumes conflict with heavy volumes of high speed vehicles. Locations which lend themselves to satisfactory operation of a pedestrian crossover or traffic control signal shall not be considered for a grade separated facility.

2. The road pavement must have four or more traffice lanes.

3. Justification for a grade separation must be based on requirements during a large proportion of the day and not merely during peak-hour traffic periods.

4. The location must permit the construction such that the facility and its approaches can be safely and conveniently used by the public.

If a location does not satisfy all of the four-criteria, but there would be some benefit to the Metropolitan road system and improved safety or convenience for pedestrians, the grade separation will be designed and constructed by the Metropolitan Corporation, and the cost will be shared on a 50/50 arrangement with the Area Municipality in which the grade separation is located. In addition, the Area Municipality will acquire any land required beyond the existing road right-of-way. The Metropolitan Corporation will be responsible for the major structural maintenance while the Area Municipality will be responsible for the day-to-day maintenance.

The foregoing policy does not apply to a case where a private industry requests permission to build grade separated facilities for its own benefit, not where a developer is involved. Each of such cases should be considered individually.

EXPROPRIATION

On December 20, 1968, a new Expropriations Act, R.S.O. 1968-69, came into effect. This new Act changed many of the procedures governing the taking of land without consent of the owner by an expropriating authority and exercising its statutory powers. It also changed the methods of determining and paying compensation for land expropriated or injuriously affected by an expropriating authority. The overall effect of the changes was to make expropriation of property a more difficult and lengthy process. The changes also provided more generous compensation to the expropriated property owners.

In order to comply with the provisions of the new Act, the procedures to be followed by the Metropolitan Department of Roads and Traffic in acquiring property for roads purposes were altered considerably.

When a road project is to be undertaken, a report is submitted to the Transportation Committee of Metropolitan Council requesting authority to proceed with the work and to acquire any lands or easements in connection thereof. Upon approval of the report by Council, and approval for the financing of the project by the Ontario Municipal Board, legal surveys of the lands required are completed.

A requisition is then issued to the Metropolitan Parks and Property Department for each parcel of land required. There may be a hundred or more on each project. The requisition lists a considerable amount of information, including owner's name and address, area of land to be taken, and the date possession of land is desired. The Parks and Property Department then commences to negotiate for acquisition of the land requisitioned. After a reasonable time, usually three to six months, as previously agreed upon by the Metropolitan Department of Roads and Traffic and the Metropolitan Parks and Property Department, the Parks and Property Department advises the Department of Roads and Traffic which of the parcels of land have not been acquired, appear impossible to obtain by negotiation, and may require expropriation.

The Metropolitan Department of Roads and Traffic thereupon submits to the Transportation Committee a report requesting permission to expropriate the properties in accordance with the advice of the Property Department. When Council has approved the report, the Legal Department, after carrying out a title survey, sends a notice of intention to expropriate to the registered owners of each parcel of land. The owners include any mortgagees and tenants. A notice is also published once a week for three consecutive weeks in a local newspaper.

Where no objection or request for an inquiry is received within thirty days, a joint report by the Legal Department and the Department of Roads and Traffic to the Transportation Committee advises of this and requests permission to proceed with the expropriations. Upon approval of the expropriation by Council, an expropriation plan is filed in the registry or land titles office as soon as possible. The Act specifies that this must be done within three months.

If a written request for an inquiry is received from one or more owners within the thirty day time limit, such requests are forwarded to the Chief Inquiry Officer of the Province of Ontario, and reported to the Metropolitan Executive Committee by the Legal Department.

The Chief Inquiry Officer assigns the matter to an Inquiry Officer who sets a time and place for a hearing, and notifies each party to the inquiry. At least five days before the hearing, the Legal Department, after receiving the necessary plans from the Department of Roads and Traffic, serves a notice to all parties to the inquiry indicating the grounds on which it will rely at the hearing and makes available all documents and plans that will be used at the hearing.

The hearing is held by the Inquiry Officer to inquire whether the taking of the lands is "fair, sound and reasonably necessary". The hearing does not deal, in any respect whatsoever, with compensation. The Inquiry Officer may, however, recommend that a party to the inquiry be paid for his costs up to $200.00.

Following the hearing, the Inquiry Officer submits a report covering the summary of evidence and arguments advanced by the parties, the Inquiry Officer's findings of fact and his recommendations in respect to the expropriation.

A joint report by the Legal Department and the Department of Roads and Traffic is then submitted to the Transportation Committee, enclosing the Inquiry Officer's report and recommending the course of action to be followed, with the reasons therefor. If the recommendations are to proceed with the expropriation, and Council approves, such approval, with written reasons, must be served on all parties within ninety days after the date of receipt of the Inquiry officer's report. The expropriation plan is then filed as soon as possible in the Registry or Land Titles office.

Within thirty days of filing of the plan, a notice of expropriation must be sent by the Parks and Property Department to all owners with whom no agreement as to compensation has been made. A notice of possession is also sent to the owner by the Parks and Property Department specifying the date on wich possession of the property is required. The date of possession must be at least three months after the serving of the notice. The three month time limit may be increased or decreased by a judge, upon application by either the owner or Metropolitan Toronto.

Where resistance or opposition is made to entry onto the property after the authorized date of possession, an application may be made to a judge for a warrant directing the sheriff to put down the resistance.

Within three months after registration of the plan and prior to taking possession of the land, the Parks and Property Department must send to any owner with whom no agreement of compensation has been made a notice of compensation offering 100 per cent payment of his interest in the land taken. This offer must be made to mortgagees, tenants, etc.

The new Act provides more generous basis for calculating value of the land taken and provides compensation for disturbance, including moving and legal survey costs, injurious affection and special difficulties in relocation.

Where negotiations do not result in a settlement of compensation, the owner or Metropolitan Toronto may apply to the Land Compensation Board to have the compensation determined by arbitration.

LIGHTING

Metropolitan Council has adopted the policy that the Corporation only assumes responsibility for the lighting of controlled-access Expressways forming part of the Metropolitan roads system and the W. R. Allen Road.

The basis of this policy is that on an Expressway System, lighting is of benefit to the user only, while on other roads, lighting is beneficial to adjacent property owners and pedestrians as well as the vehicle operator.

This policy further provides that the Corporation pay for the installation for lighting on new bridges, underpasses and channelized intersections and that the Area Municipality then assumes the costs for maintenance and electric energy.

PARK BENCHES

The application for the placing of park benches and bus passenger shelters (where no agreement is in force) on the boulevard of a Metropolitan road will be submitted with his recommendations to the Transportation Committee by the Commissioner of Roads and Traffic for the Committee's Approval.

PARK LANDS

In its construction of the Frederick G. Gardiner Expressway and the Don Valley Parkway, it became necessary for the Metropolitan Corporation to utilize certain parklands vested in the City of Toronto.

In order to overcome the depletion of these park areas, Metropolitan Council agreed to construct an appropriate breakwater in front of the Canadian National Exhibition grounds, reclaim 29 acres, and make this area available for development of park lands by the City.

Therefore, it is now general policy of Metropolitan Council that park lands displaced by construction of expressways shall be replaced at locations and in amounts mutually satisfactory to the Corporation and the Area Municipality concerned.

This policy applies only to lands dedicated as parkland. Frequently lands that have been acquired for future roads purposes are loaned to Parks and Property Departments on a temporary basis or are used by the public as open parkland until required for road use. Since the temporary use sometimes extends for several years, the lands become popularly known as park lands and the original purpose of acquiring the lands is forgotten.

PUBLIC TRANSIT PASSENGER SHELTERS

Agreements with regard to the location and erection of bus passenger shelters have been entered into between the Metropolitan Corporation and the Boroughs of North York, Etobicoke, York and Scarborough. Approval, following a satisfactory investigation, is granted by the Commissioner of Roads and Traffic. The Metropolitan Treasurer is notified so that the shelter may be entered against the Insurance Policy in effect in the respective Municipality.

SNOW CLEARING

A Contract is awarded in each Yard district for ploughing and salting in the winter. A patrol of the roads in each district is carried out around the clock by patrolmen who direct the Contractors when a snowfall occurs. The patrolmen are co-ordinated by a dispatcher located in the Chief Superintendent's Office at 2440 Lawrence Avenue East.

When the accumulation of snow ploughed to the curb interferes with the movement of traffic or is of considerable inconvenience to pedestrians, it is removed to snow dumps. Approximately 80 per cent of snow disposal is carried out by the Department's own maintenance staff.

STORM SEWERS

Provision of storm sewers for drainage of property is the responsibility of the local municipality.

Where storm sewers are required for construction of a new pavement on a Metropolitan roads, the Metropolitan Roads and Traffic Department assumes the cost of construction of the sewer up to a maximum of 27 inches in diameter and a percentage of the cost of larger sewers in accordance with the regulations of the Ministry of Transportation and Communications with respect to subsidy paid on storm sewers.

The maintenance of sewers on Metropolitan roads is done by the local municipality which obtains subsidy directly from the Ministry of Transportation and Communications.

The maintenance of catch basins and their connections is the responsibility of the Metropolitan Corporation.

STREET CAR TRACK ALLOWANCE

An agreement with the Toronto Transit Commission provides that the Metropolitan Corporation shall, at its expense, maintain any pavement lying within a track allowance for street cars on a Metropolitan road. The agreement also provides that the Corporation is responsible for snow removal on roads where the Commission operates street cars, buses or trolley buses.

When the Commission installs a new line of tracks on a paved Metropolitan road the entire cost of laying the tracks, foundations and paving within the track allowance is borne by the Commission. However, whenever the Commission rehabilitates an existing line, the Metropolitan Corporation pays 50 per cent of the cost to the Commission of paving within the track allowance. If the Corporation rehabilitates a Metropolitan road, it pays the full cost of paving within the track allowance. The Commission is responsible for the total cost of road repair where maintenance of the track has necessitated cutting a payment.

When the Commission abandons any line on a Metropolitan Road, it is required to pay 50 per cent of the Corporation's cost of repaving within the track allowance, except that this does not apply in the case of track abandoned by reason of construction of a Rapid Transit System by the Commission, where the Corporation pays 100 per cent of the cost.

In a case where an exclusive right-of-way for street car is provided on a Metropolitan road the Commission is solely responsible for the construction and maintenance of its tracks and for the ploughing and removal of snow from such right-of-way.

With the establishment of the Metropolitan roads systems a number of loading platforms existed on the roads assumed. Council adopted the policy that the Department would assume responsibility for the platforms that had been the responsibility of the local municipality prior to the formation of the Metropolitan Corporation and for all subsequent installations.

SURPLUS LANDS

When construction is finally completed, a survey determines what part of the lands acquired are to be dedicated as road. Those portions not included for dedication are declared surplus to the requirements of the Department.

These surplus lands are reported periodically to Council, who, by adoption of the report, refer the list to the Property Sales Committee.

The surplus land is then offered to other Metropolitan Departments and Area Municipalities. If they are not interested and the holding is not to be used towards making compensation by way of restitution to another owner, the lands are sold by public tender except as noted hereafter.

If the surplus land is part of an original allowance for road or the whole or part of a highway which is legally stopped up, the price at which it is to be sold is fixed by Council and the abutting owners have the right to purchase the land.

If the surplus parcel is of a size, location or shape that it is only of use to the adjacent owner, authority is sought to offer it directly to the adjacent owner.

The new Expropriation Act specifies that, where expropriated lands are to be disposed of, the owner from whom the lands were taken must be given the first right of refusal.

Properties which have been purchased well in advance of their requirements are rented on a month-to-month basis.

Where properties are required immediately the Metropolitan Corporation is liable for taxes to the area Municipality from the date of closing to December 31 of the same year. When properties are leased for periods extending past the year of acquisition, taxes and paid until the end of the year in which such properties are vacated, and exemption sought from January 1 following.

In the interest of public relations, a card or letter advising that surveys are commencing is distributed, house-to-house, previous to a land survey crew commencing its work in a neighborhood. Prior to commencement of construction, a letter is forwarded to each resident along the road outlining the work to be performed.

TREE PLANTING AND REMOVAL

Planting Policy

1. When a road has been re-built and there is sufficient room in the boulevard or behind the sidewalk to plant trees, then this is done and the costs charged to the Capital cost of the project.

2. On road that are not scheduled for widening, trees are planted in boulevards of sufficient width and costs charged to the Current Budget.

3. Where the existing right-of-way is completely used and the only area available for trees is on the sidewalks, then planting becomes the responsibility of the local municipality.

4. Individual trees are planted by the Department to replace a tree that has been removed. These costs are also charged to the Current Budget.

Removal Policy

The Department's policy for removing trees from the road allowance as adopted by Metropolitan Council is as follows:

1. Every attempt be made to retain the tree in its existing location.

2. Where a tree is dead, partially dead to a point where removal is considered necessary, or where a tree is creating a dangerous condition, the tree is removed by the Department.

3. Where the roots of a tree are blocking sewer drains, new drains are installed with the home owner paying 50 per cent of the costs.

4. Where the cost of implementing clause 3 is considered excessive relative to the value of the tree or the adjacent home owner is unwilling to pay his share, a report for direction is made to the Transportation Committee.

5. All other requests for tree removal are referred to the Transportation Committee and it approved, the applicant is charged the cost of removal and a payment to the Municipality for the tree in an amount set by the Parks and Property Commissioner to be used for new plantings.

6. The trimming of trees is done by the Department after consultation with the Parks and Property Department.

UTILITIES ON PUBLIC RIGHTS-OF-WAY

1. AUTHORITY - in 1964, the Metropolitan Solicitor furnished Council with information regarding the authority of Public Utilities to locate services on, above or beneath Metropolitan roads. This is updated as follows:

UTILITY	AUTHORITY
Hydro-Electric Power Commission of Canada	The Power Commission Act, R.S.O. 1970
The Bell Telephone Company of Canada	The Railway Act, R.S.C. 1970. Company must obtain consent of Municipality. If consent refused the Canadian Transport Commission has power to make order and impose conditions.
Canadian National and Canadian Pacific Telecommunications	The Railway Act, R.S.C. 1970. Same as Bell Telephone Company.
The Consumers' Gas Company	Statutes of Canada, 1848, C.14. The Municipal Franchises Act, R.S.O. 1970
Municipal Public Utilities	The Public Utilities Act, R.S.O. 1970
Oil and Gas Pipe Lines	No statutory right to be on highways. Consent to construct usually negotiated with municipality.

2. PAYMENT BY UTILITIES - The foregoing utilities are assessed and taxed for poles, wires, etc., on Metropolitan roads as follows:

Hydro-Electric Power Commission of Ontario:

Under the Power Commission Act, lands and plant of the Commission are exsempt from taxation. However, the Commission pays a grant each year to the municipality within which its property is situated although nothing is paid with respect to poles, wires, etc. on highways.

The Bell Telephone Company of Canada

The company is assessed at 75 per cent of the amount of its annual gross receipts in the municipality and pays taxes on this assessment in lieu of taxes on its installation on highways.

Canadian National and Canadian Pacific Telecommunications:

The telegraph companies are assessed at 50 per cent of their annual gross receipts in the municipality and pays taxes in the same manner as The Bell Telephone Company for their installations on highways.

The Consumers' Gas Company:

The gas company is assessed on the basis of the diameter and length of its pipe lines and pays taxes thereon.

Oil and Gas Pipe Line Companies:

These companies are assessed and pay taxes in the same manner as the Consumers' Gas Company.

Municipal Public Utilities:

When a public utility wishes to break up a Metropolitan road to install or repair any of its works, it must obtain a road cut permit from the Commissioner of Roads and Traffic. When the work is completed, the utility makes a temporary repair and shortly thereafter the Department of Roads and Traffic makes a permanent repair at the sole cost of the utility. In addition, the utility pays to the Metropolitan Corporation a percentage of the cost of the permanent repair for inspection charges and overhead.

With respect to the relocation of utilities on Metropolitan roads necessitated by widenings, alterations, etc., the Metropolitan Corporation is required to pay 50 per cent of the cost of labour involved in the relocation pursuant to the Public Service Works on Highways Act. In the case of the construction of a new road, e.g., the Frederick G. Gardiner Expressway, The Public Service Works on Highways Act does not apply for the relocation of utilities.

3. UTILITIES ON EXPRESSWAYS - Utilities are not permitted within the limits of expressways except:

   a. To cross over or under the expressway. For such crossings, poles are normally not allowed within right-of-way limits. If underground conduit is used for the crossing, boring or tunnelling under the pavement is normally required.

b. Where an expessway is constructed on an existing right-of-way on which Utilities are already located. In such cases, Utilities, if they are buried or it is impractical to remove them, may be permitted to remain within their limits of the right-of-way if they do not interfere with the expressway.

4. RELOCATION OF UTILITIES - The Public Service Works on Highways Act, R.S.O., provides for the cost arrangements where in the course of constructing or improving any highway it is necessary to take up, remove or change the location of a utility placed on or under the road allowance.

In the absence of an agreement between the road authority and the Utility, Commission or Company regarding apportionment of cost, the road authority is required to pay only 50 per cent of the Utility's labour costs. "Labour" is defined as actual cost of wages paid to all workmen up to and including the rank of foreman, all related benefits, and the cost of mechanical equipment. The remaining 50 per cent of labour, material and all other costs are required to be borne by the Utility.

(The Toronto Transit Commission is not regarded as a Utiiity within the meaning of the Act.)

In the case of new roads, such as expressways, which cross existing streets, the Metropolitan Corporation will pay for any relocation of Utilities required by Department construction to the extent of 100 per cent of the cost of material and labour less the salvage value of material in the plant.

In 1957, Metropolitan Council authorized a reciprocal arrangement with the thirteen Area Municipalities that in cases where municipally-owned water works and sewer installations required to be taken up, removed or relocated because of road improvements or other work on a Metropolitan road, the Metropolitan Corporation would pay the Area Municipality 100 per cent of all its costs, on condition that the Area Municipality agreed to pay the Metropolitan Corporation 100 per cent of its costs involved in taking up, removing or relocating Metropolitan water works or sewer installations required for the improvement of the Area Municipality's own roads.

All thirteen Area Municipalities subscribed to the proposal and covering agreements were executed.

An arrangement also exists with the Toronto Hydro Electric System respecting the removal of wooden poles and placing of cables underground.

When relocating of hydro lines is required because of widening of the pavement on a Metropolitan road within the City, the Corporation will pay to the Toronto Hydro Electric System, in lieu of 50 per cent of labour charges, a flat rate of $3.00 per linear foot if the relocated hydro cables are placed underground. In the case of expressway construction, where 100 per cent of costs are paid for relocation, the flat rate is $6.00 per linear foot for underground installation.

A similar arrangement would be applicable to the five Boroughs.

TRAFFIC

PARKING METERS POLICY

Metropolitan Council, at its meeting on November 15, 1955, adopted the following policy regarding parking meters: ". . . . . upon approval by the Metropolitan Council of applications submitted by Area Municipalies, permission be granted for the installation of parking meters at new locations on Metropolitan roads and the retention of revenue therefrom by the Area Municipalities; such permission to be granted in each case on condition that the Area Municipalities assume full responsibility for the installation of such meters, collection of revenues, maintenance (including the cost of stall pavement markings) and any other matters arising out of the presence of the meters on Metropolitan Roads, and that the meters will be removed forthwith at the expense of the Area Municipalities when requested by the Metropolitan Corporation".

RUSH HOUR ROUTE POLICY

Metropolitan Council, on April 5, 1956, adopted a recommendation of the Metropolitan Traffic Engineer that a rush hour route policy be established to minimize traffic congestion and delays and limit accident potential on congested roads.

In essence, the policy calls for curbside parking prohibitions during rush hours on routes where the practical capacity is exceeded.

SPEED ZONING

In 1960, The Municipality of Metropolitan Toronto Act was amended to permit Metropolitan Council to enact by-laws to zone speed up or down from the existing 50 km. p.h. basic limit. In May 1960, the Metropolitan Speed Zoning by-law was re-enacted to clarify the status of existing regulations.

All roads in Metropolitan Toronto have a basic 50 km.p.h. speed limit unless designated otherwise by by-law. This is provided for by Sections 82 and 259 of The Municipality of Metropolitan Toronto Act.

UNIFORM TIMES FOR RUSH HOUR

On May 29, 1956, Metropolitan Council adopted a recommendation of the Metropolitan Traffic Engineer that a policy of uniform rush hours throughout the Metropolitan area be established.

These uniform hours were as follows:

MORNING RUSH HOUR

7:00 A.M. to 9:30 A.M., excepting in the area east of University Avenue, west of Jarvis Street, south of Dundas Street and north of Fleet Street, where the hours shall be 8:00 A.M. to 9:30 A.M.

EVENING RUSH HOUR

4:30 P.M. to 6:30 P.M., throughout the Metropolitan area. In 1967, these times were amended to reflect changing trends. They are now:

A.M.	7:00 to 9:00
P.M.	4:00 to 6:00

UNIFORM TRAFFIC BY-LAW

Prior to the formation of the Metropolitan Corporation, each Area Municipality had its own traffic by-law. With the formation of the Metropolitan Corporation and the adoption of the Metropolitan Traffic by-law, this meant that the motorist travelling in Metropolitan Toronto was governed by 14 different sets of traffic regulations.

It was evident that a uniform by-law was required which would be acceptable to and enacted by all Metropolitan Municipalities.

After consultation with the Metropolitan Solicitor and the Councils of the Area Municipalities, a Uniform Traffic by-law was drawn up which would supersede the existing traffic by-laws.

The new by-law was presented to the Metropolitan Roads and Traffic Committee early in 1958 and was adopted by Metropolitan Council on July 4, 1958. The Traffic By-law was approved by the Department of Transport, Ontario, in September 1958.

The original Thirteen Area Municipalities subsequently adopted the Uniform Traffic By-law and its ensuing amendments. The Uniform Traffic By-law is presently in force in all of the Area Municipalities of Metropolitan Toronto and on Metropolitan roads.

UNIFORM TRAFFIC POLICY

Metropolitan Council, at its meeting held on August 21, 1956, unanimously adopted the following resolution:

> "Whereas it is desirable that there be uniform traffic regulations thorughout the entire area of Metropolitan Toronto.
>
> Resolved that the Toronto and District Traffic Conference be asked by the Council of The Municipality of Metropolitan Toronto to draft a statement of general traffic policy subject to adoption by the Metropolitan Council and the Councils of the Thirteen Area Municipalities."

Such a policy was prepared by the Traffic Conference (renamed the Metropolitan Toronto Traffic Conference) and was presented to Council. Metropolitan Council adopted the policy on August 25, 1959, together with a recommendation of the Roads and Traffic Committee that the Councils of the Area Municipalities be advised of this approval.

Purpose of Traffic Control Signals

The primary purpose of traffic control signals is to assign the right-of-way to conflicting streams of traffic, both pedestrian and vehicular. Various warrants have been developed in the past to assist in the assessment of requirements for signalization and many factors are taken into consideration in the assessment.

The decision to recommend the installation of traffic control signals at any location is made following a careful evaluation of site conditions and the application of the warrant criteria. These warrants are also used by the Ministry of Transportation and Communications of the Province of Ontario as a basis for determining the eligibility of a proposed traffic signal installation for a 50 percent Provincial subsidy.

WARRANTS FOR INSTALLATION OF TRAFFIC CONTROL SIGNALS

As Exhibit 1 illustrates, there are five basic traffic flow warrants used to evaluate the need for traffic control signals, and these are described as follows:

1. Minimum Vehicular Volume

   Minimum vehicular volumes on both side street and main street must be satisfied for each of any 6 hours of an average day, however, at least two of these hours must include either the morning or evening rush hour period. The required minimum traffic volumes necessary to meet the compliance level of this warrant, as illustrated on the summary form of Exhibit 1, varies according to the number of traffic lanes on each intersection approach. The lowest sectional percentage governs the entire warrant.

   In order for this warrant to be fully satisfied, the total vehicular volume entering an intersection from all approaches for each of any of the 6 hours would have to be 900 or more vehicles for a 3 to 7 lane roadway or at least 720 vehicles for a 2 lane road.

2. Delay to Cross Traffic

   Where undue delay or hazard occurs to traffic attempting to enter a major street because of the volume of traffic on the major street, signals may be necessary. Minimum main street vehicular volumes, and side street vehicular and pedestrian volumes have been established by the Ministry to satisfy the delay to cross traffic warrant which in turn is dependent upon the number of traffic lanes on the main street. Data obtained from the same 6 hour period, as described for the previous warrant is used in the determination of the compliance level for this technical warrant. Again, the lowest sectional percentage governs the entire warrant.

3. Accident Hazard

   Where more than 5 reported preventable type accidents per year have occurred over a 36 month period, and other measures to correct the accident situation have proven not to be effective, then the accident hazard warrant may be used.

EXHIBIT 1

WARRANTS FOR INSTALLATION OF TRAFFIC CONTROL SIGNALS

WARRANT	DESCRIPTION	MINIMUM REQUIRED 2 LANE ROAD	MINIMUM REQUIRED 3-7 LANE ROAD	COMPLIANCE SECTIONAL %	COMPLIANCE ENTIRE %
1. Minimum Vehicular Volume	A. Total vehicular volume entering intersection from all approaches for each of any 6 hours (excluding 7-9 a.m. or 4-6 p.m.)	720	900		
	B. Total vehicular volume entering intersection on minor road(s) for each of the same 6 hours	170 or 255(T)	170 or 255(T)		
2. Delay to Cross Traffic	A. Total vehicular volume entering intersection on major road for each of any 6 hours (excluding 7-9 a.m. or 4-6 p.m.)	720	900		
	B. Combined vehicular & pedestrian volumes crossing major road for each of the same 6 hours (critical volume)	75	75		
3. Accident Hazard	A. Number of reported preventable accidents per year averaged over preceeding 36 months	5			
	B. Has adequate trial of remedies less restrictive than signalization failed to reduce frequency of accidents?	Yes ☐ No ☐			
	C. Has either of above warrants (#1 or #2) been fulfilled to the extent of 80% at least?	Yes ☐ No ☐			
4. Combination	Have two or more of above warrants (#1, #2, #3) been satisfied to the extent of 80% at least?	Yes ☐ No ☐			
5. (Mid-Block Only) Minimum Pedestrian Volume	A. Average hourly pedestrian volume crossing major road for any 6 hours (excluding 7-9 a.m. or 4-6 p.m.)	240	240		
	B. Average hourly volume entering intersection on major road for same 6 hours	575	720		

Note:

1. The lowest sectional percentage determines each individual warrant
2. All R.T. cut-off traffic to be excluded from calculations
3. "Critical Volume" (warrant 2B) excludes the lighter of the minor street through volumes

Furthermore, the use of this warrant requires that the previous two warrants, "Minimum Vehicular Volume" and delay to "Cross Traffic", must be satisfied to the extend of 80 percent for each hour of the 6 hours under consideration.

4. Combination Warrant

Traffic control signals may be warranted in cases where two or more of the previously listed three warrants (i.e. Minimum Vehicular Volume, Delay to Cross Traffic, Accident Hazard) are satisfied to the extend of 80 percent of their base requirements.

5. Minimum Pedestrian Volume (Mid-Block) Warrant

This warrant is only applied to a situation where consideration is being given towards the installation of traffic control signals at a mid-block location.

The pedestrian warrant is based on the average hourly pedestrian volume crossing the major street for any 6 hours as previously explained, in conjunction with the major street vehicular volume.

PART III - COMMITTEES

Metropolitan Toronto Public Utilities Co-ordinating Committee

This Committee, which has been in operation since early 1957, is a technical body comprising senior officials of all Utilities and Area Municipalities operating in the Metropolitan Toronto area.

It is concerned primarily with inter-relationships between Utilities and Municipalities, solving problems involved in the co-ordination of utilities, plotting on plans of existing services, and the planning and accommodation of future services within public road allowances.

The Committee has been producing 125 plans each year. Prints of the plans are widely distributed, and serve as an infallible source of reference by all agencies concerned with construction.

The Committee also serves to co-ordinate construction and installation programs. As early in each year as possible, each member organization submits a list of its proposed works, and the information is circulated to all concerned.

The Committee is financed by annual assessments against all member organizations, and its work is centered in the Department of Roads and Traffic.

Metropolitan Toronto Technical Traffic Committee

In 1955, the Metropolitan Traffic Engineer, with concurrence of the Chiefs of Police of the Metropolitan Area Municipalities, recommended to Metropolitan Council that it sponsor a permanent committee for the purpose of resolving mutual traffic problems that could not be limited by municipal boundaries and arriving at uniform policies involving signs, signals and the regulation of traffic. Council referred this matter to the Metropolitan Toronto Traffic Conference, which recommended the formation of a Metropolitan Toronto Technical Traffic Committee.

This Committee was formed, and includes:

Director of Traffic, Metropolitan Department of Roads and Traffic, Director of the Traffic Division of the City of Toronto, Department of Public Works, Deputy Chief of Police in Charge of Traffic, Police Traffic Inspectors, Commissioner of Traffic, City of North York, Traffic Co-ordinators of the Boroughs of York; Etobicoke; and Scarborough, Commissioner of Works, Borough of East York, Representative of the Ministry of Transportation and Communications, Ontario, Representative of the Metropolitan Toronto Planning Board, Representative of the Toronto Transit Commission.

All traffic matters of mutual interest are discussed by Metropolitan Planning Department and uniform policies formulated. In this regard, particular note should be made of the Uniform Traffic By-law, the Uniform Traffic Policy and the Pedestrian Crossover Program.

Metropolitan Toronto Traffic Conference

The Conference (sponsored by the Board of Trade of Metropolitan Toronto) has been in existence since 1930 and is comprised of technical officials, elected representatives and representatives of private organizations all having a common interest in and responsibility for the movement and safety of vehicular and pedestrian traffic. It provides an opportunity for these people to meet and discuss matters of common interest.

Metropolitan Toronto Transportation Technical Advisory Committee

The predecessor of this Committee was established in 1957 by Metropolitan Council, and was originally named the Roads, Traffic and Planning Technical Committee.

The function of that Committee was to co-ordinate Road, Traffic and Transportation Planning Control, and to report to the Roads and Traffic Committee on technical matters.

In November 1962, Council approved a recommendation of the Commissioner of Roads which provided for the change of the name of this Committee, the extension of its scope to include the entire field of transportation within the Metropolitan area, and the inclusion of new members.

The present official member of the Committee are:

- The Metropolitan Commissioner of Planning,
- The Metropolitan Commissioner of Roads and Traffic,
- The Planning Engineering of the Ministry of Transportation and Communications, Ontario,
- The Director of Planning of the Toronto Transit Commission,
- Representatives from the Railway Companies.

Meetings of the Transportation Technical Advisory Committee are held regularly to consider items which have been referred to it by the Metropolitan Transportation Committee, and any which have been placed on the agenda by members of the Technical Advisory Committee or officials of interested government or municipal Departments. When item concerns an official who is not a member of the Technical Advisory Committee, he is invited to attend the meeting to discuss the matter in question.

The responsibilities of the Metropolitan Transportation Technical Advisory Committee are to:

1. Study and analyze planning policies and new developments in transportation technologies and practices, and to report its findings to the appropriate Standing Committee of Metropolitan Council.

2. Study technical developments and recommend proposals to the Metropolitan Administration.

3. Co-ordinate appurtenant operations of the Metropolitan Department of Roads and Traffic, the Metropolitan Toronto Planning Department, the Ministry of Transportation and Communications, Ontario and the Toronto Transit Commission.

4. Consult with local municipalities, as appropriate, and provide technical advice to these municipalities when requested.

Technical Advisory Committee on Parks and Conservation

This Committee was formed in 1959 to discuss matters relating to parks, river valleys and other green belt lands in the Metropolitan Toronto area. Its members include representatives from the Metropolitan Parks Department, the Metropolitan Toronto Planning Department, the Metropolitan Department of Roads and Traffic, the Metropolitan Departsment of Works, and the Metropolitan Toronto, and Region Conservation Authority. Meetings are usually held once a month.

PART IV - STREET BY-LAW

AMENDMENT

THE MUNICIPALITY OF METROPOLITAN TORONTO

BY-LAW No. 200-75

To amend By-law No. 211-74 regulating the use of Metropolitan Roads.

The Council of The Municipality of Metropolitan Toronto HEREBY ENACTS as follows:

1. Subsection 1 of section 12 of By-law No. 211-74, a By-law "To regulate the use of Meteropolitan Roads" is repealed.

2. Section 15 of said By-law No. 211-74 is repealed.

3. Section 4 of said By-law No. 211-74 is amended by adding thereto the following subsection:

(3) Except where otherwise lawfully permitted no person shall occupy any portion of a Metropolitan road except in the ordinary course of public traffic unless he is the owner of or tenant of or agent for the owner of lands abutting on the Metropolitan road at the location of the proposed occupation and he has applied to and received from the Commissioner a permit for such occupation provided that:

(a) the permit shall not authorize the occupation of a larger part of the road or extend for a longer period of time than may be necessary in the opinion of the Commissioner having regard to the needs of the applicant and the convenience of the public;

(b) the permit shall be in writing and shall define the portion of the street to be occupied and the time during which it is to be so occupied, and shall be subject to cancellation at any time without notice;

(c) the permit shall not authorize the occupation of any portion of the road beyond the limits of the frontage thereon of the land in connection with the use of which the permit is required unless the owners and occupants of the land abutting such portion of road consent to the issue of the permit and the occupation of the road thereunder and waive all claims against the Metropolitan Corporation for damages arising directly or indirectly from such issue or occupation, such consent and waiver to be in writing and to be furnished to the Commissioner before the permit is issued;

(d) the permit, instead of allowing occupation of the road for one continuous period of time, may provide that such occupation shall be for a portion of the day only during the time the permit is in force;

(e) the applicant shall place and maintain sufficient warning signs and devices to adequately warn the public of the occupation and obstruction of the road;

(f) no permit shall authorize or be deemed to authorize any obstruction of the free passage of water in drains, gutters, or watercourses on any road; and

(g) before receiving the permit the applicant shall in writing agree to indemnify and save harmless the Metropolitan Corporation from any action, claim, damage or loss whatsoever arising from the issuing of the permit or the occupation of the road thereunder, and shall file such proof of insurance therefore as the Commissioner and Metropolitan Treasurer may require.

4. Section 12 of said By-law No. 211-74 is amended by adding thereto the following subsection:

(1) No person shall use or operate a vehicle to track earth, rubbish or other mateials onto a Metropolitan road.

ENACTED AND PASSED this 16th day of December, A.D. 1975.

GEORGE M. FOSTER,
Metropolitan Clerk.

PAUL V. GODFREY,
Chairman.

(Corporate Seal)

THE MUNICIPALITY OF METROPOLITAN TORONTO

BY-LAW NO. 211-74

To Regulate the Use of Metropolitan Roads.

WHEREAS the Council of The Municipality of Metropolitan Toronto deems it necessary to regulate the use of the roads under its jurisdiction for purposes other than pedestrian and vehicular traffic;

Now, therefore, the Council of The Municipality of Metropolitan Toronto HEREBY ENACTS as follows:

1. In this by-law:

   a. "Commissioner" means the Commissioner of Roads and Traffic for The Municipality of Metropolitan Toronto or the person for the time being acting as head of the Department of Roads and Traffic for the Metropolitan Corporation;

   b. "Metropolitan Corporation" means The Municipality of Metropolitan Toronto;

   c. "metropolitan road" means a road under the Jurisdiction of The Municipality of Metropolitan Toronto;

CONSENTS

2. (1) The Commissioner is hereby authorized to grant all the consents required by subsection 2 of section 75 of The Municipality of Metropolitan Toronto Act, provided that each consent shall be granted only on the condition that the applicant shall assume full responsibility for any injury or damage arising from the construction, operation or existence of the work to which the approval or consent, as the case may be, relates and shall save the Metropolitan Corporation harmless therefrom.

   (2) In the case of the construction of public utility installations on metropolitan roads when the approval of the Metropolitan Corporation is required as to location only, the Commissioner is hereby authorized to grant all such approvals provided that each consent granted for the installation of poles on metropolitan roads shall be granted only on condition that the Metropolitan Corporation may place traffic signs or traffic signals on the poles to which the consent relates.

3. The Commissioner, the Director of Planning and Design, the Director of Operations or the Senior Design Engineer of the Department of Roads and Traffic are hereby authorized to issue permits for the moving of heavy vehicles, loads, objects or structures pursuant to the provisions of section 65 of The Highway Traffic Act.

TEMPORARY OCCUPATION OR USE

4. (1) Banner signs may be erected by charitable and safety organizations over metropolitan roads other than expressway provided that:

a. the applicant has given 30 days notice of the proposed installation to the Commissioner;

b. the installation and location of the banner sign or signs have been approved by the Commissioner;

c. all parts of the signs or equipment are mounted to clear the pavement by a minimum of 18 feet;

d. the signs shall not be installed in such a way as to obscure any part of a pedestrian crossover or signals at any signalized intersection;

e. an indemnity bond or policy of liability insurance in the amount of $200,000.00 naming the Metropolitan Corporation as an insured with respect to the banner signs in a form satisfactory to the Metropolitan Solicitor shall be delivered by the applicant to the Metropolitan Solicitor prior to the commencement of any work;

f. should it be necessary for the Metropolitan Corporation to remove or alter the signs for any reason whatsoever, the applicant shall indemnify the Metropolitan Corporation against the cost of such removal and against any loss, cost or damage arising from the installation of the sign;

g. the applicant shall enter into an agreement with the Metropolitan Corporation covering the installation and maintenance of the sign in a form acceptable to the Metropolitan Solicitor.

(2) Decorative Christmas lighting may be erected by an area municipality or businessmen's association over metropolitan roads other than controlled-access roads provided that:

a. the Hydro-Electric System having jurisdiction over the lighting consents to the installation in writing;

b. the installation and location of the lighting have been approved by the Commissioner;

c. all parts of the decorations and equipment are mounted to clear the pavement by a minimum of 18 feet;

d. no decoration shall be placed within 100 feet of a signalized intersection nor within 100 feet of a pedestrian crossover;

e. no decoration within 125 feet of a signalized intersection shall contain any red or green lights.

f. an indemnity bond or policy of liability insurance in the amount of $200,000.00 naming the Metropolitan Corporation as an insured with respect to the decorations in a form satisfactory to the Metropolitan Solicitor shall be delivered by the applicant to the Metropolitan Solicitor prior to the commencement of any work;

g. all decorations and equipment shall be removed by the applicant on or before the 10th day of January following their erection;

h. should it be necessary for the Metropolitan Corporation to remove or alter the decorations for any reason whatsoever, the applicant shall indemnify the Metropolitan Corporation against the cost of such removal and against any loss, cost or damage arising from the installation of these lights;

i. the applicant shall enter into an agreement with the Metropolitan Corporation covering the installation and maintenance of the decorative lighting in a form acceptable to the Metropolitan Solicitor.

5. Where the Metropolitan Council has granted consent for the temporary occupation or use of any portion of a metropolitan road during building operations no person shall commence the occupation or use thereof without first having:

a. obtained approval in writing as to time and location from the Commissioner;

b. filed with the Commissioner a certificate of insurance indemnifying the Metropolitan Corporation in the amount of $200,000.00 against any loss or damage arising out of such occupation or use; and

c. filed with the Commissioner an undertaking or agreement to remove whatever is to occupy the road and to clean up and restore the road to its condition prior to the occupation or use.

SURFACE CUTS

6. (1) Except in the case of an emergency requiring immediate opening for public safety no person shall break, excavate, cut into or remove the surface of a metropolitan road without first obtaining a permit from the Commissioner which shall be granted on the following condition:

a. that the applicant agrees to make all necessary arrangements with traffic, police, and fire authorities for the placing of barricades, notices, warning lights and signs and shall take whatever steps are necessary to ensure the protection of the public and the minimum of inconvenience and disturbance to users of the road;

b. that all barricades, notices, warning lights and signs shall conform with the requirements of the Manual of Uniform Traffic Control Devices for Ontario published by the Government of the Province of Ontario;

c. that having regard to the location of the proposed work and to the preservation of traffic conditions the work may be carried out only during the hours designated on the permit by the Commissioner; and

d. that the applicant shall give the Commissioner 48 hours' notice of intention to start work.

(2) In the case of emergency when it is necessary to cut into, break up or remove the surface of a road in the interest of safety before a permit is obtained, the person who or on whose behalf the opening is made shall report to the Commissioner at the first opportunity and shall as soon as possible thereafter make application for a permit as provided in subsection (1) and in any case such opening shall in all other respects be subject to the conditions on which a permit is issued.

(3) All cut, backfill and temporary repairs shall be made by the applicant in accordance with the specifications of the Metropolitan Corporation and the cost thereof shall be paid by the applicant.

PERMANENT OCCUPATION OR USE

7. (1) No person shall without lawful authority construct or erect any structure or fence, posts or wires, or dig, tunnel or bore in, on, over or under a metropolitan road without having first obtained the consent of the Metropolitan Corporation.

(2) When the consent of the Council of the Metropolitan Corporation has been obtained by any person for the occupation of a part of a metropolitan road, subject to the terms of the consent, such person shall not commence work on the road without first having:

a. obtained approval in writing as to time, location and method of work from the Commissioner;

b. filed with Commissioner a certificate of insurance in the amount of $200,000.00 indemnifying the Metropolitan Corporation against any loss or damage arising out of such occupation or use; and

c. obtained any necessary approval from the area municipality and having entered into an agreement in a form sufficient for registration agreeing to indemnify the Metropolitan Corporation against all actions or claims that may result from such occupation and agreeing to pay all charges, taxes, costs and rental and to maintain the work in good condition and to remove it and restore the road to its conditon prior to such occupation on 90 days notice from the Metropolitan Corporation.

ENCROACHMENTS

8. When the consent of the Council of the Metropolitan Corporation has been obtained by an owner to permit an inadvertent encroachment of a building on a metropolitan road or an encroachment or further encroachment for the purpose of refacing any such building for the lifetime of the building or such time as the Council may specify, the owner shall,

    a. file with the Commissioner a certificate of insurance in the amount of $100,000.00 indemnifying the Metropolitan Corporation against any loss or damage arising out of such occupation or use; and

    b. execute an agreement with the Metropolitan Corporation in a form sufficient for registration agreeing to indemnify the Metropolitan Corporation against all actions or claims that may result from such occupation or use and agreeing to pay all charges, taxes, costs and rentals and to maintain the encroachment in a safe condition.

LOCATION OF ACCESS

9. (1) The Commissioner may permit the construction of a pedestrian access or vehicular driveway over the untravelled portion of a metropolitan road provided that:

    a. the written approval of the Commissioner has been first obtained of the design and materials to be used;

    b. all costs are paid by the person for whom the access or driveway is to be constructed; and

    c. the person for whom the access is to be constructed has agreed to indemnify and save the Metropolitan Corporation harmless from any cost, loss or damaging arising from the construction, maintenance or repair of the access or driveway.

(2) When any driveway or access requires reconstruction or repair the Commissioner shall deliver a notice to the owner or occupant of the land served by the access or driveway stating that such access or driveway shall be repaired or reconstructed within one month from the date of delivery of the notice and that in the event that the work is not carried out the Commissioner shall cause such work to be carried out and the cost charged to the owner.

(3) No access or driveway containing heating devices shall be constructed over any public utility unless the consent of the Metropolitan Council to the inclusion of the heating device has been first obtained.

(4) No person shall construct a ramp on the pavement of a road or break any curbing but where consent has been granted for the construction of an access or driveway the Commissioner may have such work performed at the expense of the person for whom the access or driveway is to be constructed.

TREES

10 (1) No person shall without the approval of the Metropolitan Council,

(i) plant any tree or shrub upon a metropolitan road;

(ii) injure or destroy or cut down any tree or shrub on a metropolitan road;

(iii) attach any object or thing to any tree on a metropolitan road.

(2) The Commissioner is hereby authorized to supervise the planting of trees or shrubs upon metropolitan roads, the trimming of trees or shrubs planted on metropolitan roads or upon private property where the branches extend over a metropolitan road or the removal of decayed or dangerous trees or trees that have been directed to be removed by by-law of the Metropolitan Corporation.

GENERAL

11. No person shall, without lawful authority, place or expose goods, wares or mechandise or articles of any kind upon any metropolitan road allowance or hang or put up any goods, ware or merchandise, or other articles outside of any building so that the same shall project over any portion of a metropolitan road allowance.

12. (1) No person shall use or operate a vehicle to convey earth, rubbish or other material on a metropolitan road in such a manner as to permit any such materials to fall or be tracked on the road.

(2) Where building materials, waste or soil is spilled or tracked onto a metropolitan road by vehicles going to or coming from lands abutting the metropolitan road during the course of erection, alteration, repair or demolition of a building thereon, the owner of such lands shall cause the building materials, waste or soil to be removed from the road at intervals of not more than 24 hours or at such shorter intervals as may be necessary in the opinion of the Commissioner to prevent damage or injury or nuisance to the pavement or persons.

(3) No person shall throw, place or deposit any dirt, filth, glass, handbills, paper or other rubbish or refuse (except in receptacles provided for the purpose) or the carcass of any animal on any metropolitan road.

(4) No person shall coast or toboggan on any metropolitan road.

(5) No person shall move snow or ice from private property onto a metropolitan road.

(6) No person shall, without lawful authority, climb, clamber or walk along any member of the substructure of a bridge forming part of a metropolitan road.

(7) No person shall deface any structure on a metropolitan road.

(8) No person shall, without lawful authority, place or affix any sign, poster or other advertising device on any metropolitan road.

(9) No person shall, without lawful authority, obstruct or encumber any metropolitan road.

PENALTY

13. (1) Any person violating any of the provisions of this By-law other than a provision contained in Section 10 shall be subject to a penalty not exceeding (exclusive of costs) the sum of $1,000.00 for each offence.

(2) Any person violating any of the provisions of Section 10 of this By-law shall be subject to a penalty not exceeding (exclusive of costs) the sum of $25.00 for each offence.

REPEAL OF BY-LAW

14. Section 2, 3a and 4 of By-law No. 333, as amended, and By-law No. 585, are hereby repealed.

COMMENCEMENT

15. (1) Subsection 1 of Section 12 of this By-law shall come into force upon receiving the approval of the Ministry of Transportation and Communication.

(2) This By-law, except subsections 1 and Section 12, shall come into force on the date of passing.

ENACTED AND PASSED THIS 5th day of November, A.D. 1974.

George M. Foster,
Metropolitan Clerk.

Paul V. Godfrey,
Chairman.